

AO 441 (Rev. 12/09) Summons on Third-Party Complaint

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

Marjorie Payne

Plaintiff,

v.

Machinists Local 698, et al,

*Defendant and
Third-Party Plaintiff,*

v.

Jon Winterhalter

Third-Party Defendant.

Civil Action No. 2:11-cv-10769

Hon. Patrick J. Duggan

SUMMONS IN A CIVIL ACTION

To: Jon Winterhalter

A lawsuit has been filed against defendant Machinists Local 698, et al, who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff Marjorie Payne.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Sara J. Geenen

Previant, Goldberg, 1555 N. River Center Drive, Ste. 202, Milwaukee, WI 53212

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

Joseph P. Ciaramitaro, Jr.

York, Dolan,

42850 Garfield Road, Ste. 104, Clinton Township, MI 48038

If you fail to respond, judgment by default may be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

DAVID J. WEAVER, CLERK OF COURT

By: s/D. Worth*Signature of Clerk or Deputy Clerk*Date of Issuance: March 3, 2011

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Summons and Complaint Return of Service

Case No. 2:11-cv-10769

Hon. Patrick J. Duggan

A copy of the Summons and Complaint has been served in the manner indicated below:

also: *Answer of All Defendants & Third Party Complaint, Notice, Consent Form, Notice of*
 Name of Party Served: Jon Winterhalter *Filing Removal, Notice of Appearance.*

Date of Service: 3/15/11 @ 12:23pm**Method of Service**

☒ Personally served at this address: 11316 S. Crestline Dr., Washington, MI 48095

☐ Left copies at the usual place of abode with (name of person):

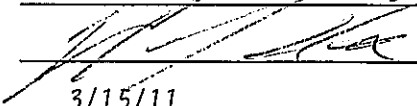
☐ Other (specify):

☐ Returned unexecuted (reason):

Service Fees: Travel \$ _____ Service \$ _____ Total \$ 56.00

Declaration of Server

I declare under the penalty of perjury that the information contained in this Return of Service is true and correct.

Name of Server: John Osier - Macomb Cty Sheriff Civil DivisionSignature of Server: Date: 3/15/11Server's Address: 10 N. Main St., 1st Flr., Mt. Clemens, MI 48043